

MINUTES OF THE QUARTERLY MEETING OF THE STR ADVISORY COMMITTEE
MONDAY, OCTOBER 05, 2020 VIA WEBEX

I. CALL TO ORDER/ROLL CALL (5:31 pm)

Committee Members Present: Bruce, Nash-Hunt, Moran, Stockness

City Staff: Naffah, Zetter

II. ITEMS FROM THE FLOOR

Commissioner Stockness requested an update on whether the City had acquired another deputy. City Manager Naffah advised that the City has not gained a second deputy yet, but they are working on the details. He was hopeful that the City would gain another deputy sometime this month.

III. APPROVAL OF MINUTES

June 24, 2020

Motion (Stockness/Nash-Hunt) to approve the June 24, 2020 minutes as submitted. Passed (4-0). Passed unanimously.

Committee member Nash-Hunt mentioned that she doesn't recall public comment as she experienced technical issues during the final 15-20 minutes of the meeting.

IV. AGENDA ITEMS

1. Discuss Staff Report on STR Status Since June 2020 Meeting to Include: How the Re-opening of STRs Went, Citizen Complaints and Their Resolution, Estimate of the Impact to TOT Due to Reduced Occupancy Caused by the Pandemic:

Committee Member Discussion:

City Manager Naffah discussed the October 2020 staff report, explaining that the STR re-openings began in June. He explained the process of submitting the reopening plans to the County and then to the City once approved. He also stated that some STRs chose to remain vacant or switch to long-term rentals. Since reopening, Naffah advised that only one complaint was received. Lastly, he added that the City requested postage of signage in each STR re: masking and social distancing.

Administrative Assistant Zetter discussed the moratorium's impact on Tourist Occupancy Tax (TOT) revenue. Specifically, that the impact was experienced in the fourth quarter (April – June 2020), resulting in a net loss of -\$31,482.72 (based on the fourth quarter (April – June 2019) numbers). Zetter also clarified that this loss did not include the TOT received from the Trinidad Bay Bed and Breakfast.

Committee member Moran discussed the financial impact he experienced, resulting from the moratorium. Committee member Nash-Hunt discussed her personal experience, as well, advising that she had shutdown early due to COVID. She did, however, note that upon reopening there was a spike of tourists in July. Furthermore, she discussed the changes in the cleaning protocols to ensure safety.

The Committee members and staff discussed resident K. Lake's complaint, which was in regards to STR's in Trinidad being advertised as "self-check-in." Lake was concerned that it was a significant violation of the STR ordinance.

Committee member Nash-Hunt commented that while her complaint was really long, Lake offered some good ideas. She also questioned whether the three STRs mentioned in the complaint have fixed their listing on Airbnb.

Committee member Moran, in response to the complaint, explained that both during COVID and pre-COVID the guest(s) always had access to the home the moment they arrive. He explained that the “Meet and Greet” is not a requirement to obtain access to the home, and the property managers aren’t always available the moment the guest arrives.

Committee Chair Bruce made note that the phrase “Meet and Greet” does not appear in the body of the ordinance. Explaining that instead, on page 8 of the ordinance (*section: 17.56.190 (6.26).M STR Standards*), it states that “*Prior to the rental of an STR, the Responsible Person shall be provided with a Good Neighbor Contract, consisting of a list of rules and responsibilities, in a form approved by the City Manager. The Responsible Person shall initial each rule indicating that they have read it and sign an acknowledgement...posted in a clearly visible location within the STR.*” Thus, the ordinance does not clearly define that a “Meet and Greet” needs to occur. However, Bruce stated that the “Meet and Greet” needs to be clearly defined.

Bruce suggested adding “Meet and Greet” to the definitions, or that the STR Committee make a recommendation to the Planning Commission that “Meet and Greet” be specifically referenced in *section 17.56.190 (6.26).M STR Standards*.

Planning Commissioner and Committee member Stockness questioned if the signing of a Good Neighbor Contract would suffice as the “Meet and Greet.”

Nash-Hunt agreed with Bruce that “Meet and Greet” does need to be defined in the ordinance. She also questioned how the Committee felt about not requiring a “Meet and Greet” for repeat guests. Bruce stated that the Planning Commission should handle making a decision regarding waiving the “Meet and Greet” for repeat guests. Stockness opined one needs to occur every time, as situations change – the guest could bring additional guests or animals.

Moran stated that the language regarding the “Meet and Greet” should provide some flexibility for the property managers, as it isn’t always known what time the guests will arrive (for example, a guest could experience a delayed flight). Furthermore, he clarified that it is up to the guest to advise when they arrive.

The Committee began discussing fines and the means of collecting said fine for not conducting a “Meet and Greet,” such as taking a portion of the security deposit or the City could issue a ticket.

Moran also questioned how would a fine for a “Meet and Greet” violation be collected. He opined that if it’s a violation of the ordinance the City should write a ticket. The only fines that the property managers collect is for damages or breaking house rules. He stated that there needs to be a clear line of what the City versus the property managers are responsible for.

Naffah explained that if the violation occurs on the property it is up to the owner or property manager to collect the fine. Bruce agreed.

Moran clarified that 90% of guests do not have a security deposit; instead they purchase a damage insurance policy.

Naffah suggested having a deposit for ordinance violations. Moran questioned if what is being proposed is that the guests pay a separate deposit for violations. He further questioned how does a property manager demand that from a guest, noting that he would have to provide some justification.

Naffah stated that unfortunately the City doesn't have a relationship with the guests. However, he added that while he doesn't know how to go about fining, he is optimistic that an efficient system can be achieved.

Moran stated he does not agree with having another deposit. Noting that collecting TOT is one thing, but adding a second deposit would open up another can of worms.

Nash-Hunt agreed with Moran. She stated it does seem impracticable to collect another deposit. She discussed how she rents a home in Oregon, which clearly warns guests about fines for violations, and such a warning will deter guests. Additionally, she added that there have been so few complaints that it doesn't seem that an additional deposit is warranted.

Stockness addressed that one of the main concerns is the enforcement. Bruce agreed that enforcement is an ongoing problem.

Bruce suggested adding an agenda item regarding having a separate security deposit. He noted that he does respect Moran's opinion, but the City needs a form of enforcement on violations.

Public Comment

Kathleen Lake written comment

Committee Member Discussion

The Committee agreed to agendaize - *discussion/decision of enforcement of the good neighbor contract.*

2. Discuss "Definitions" in the STR Ordinance and the Possible Need to Clarify or Improve Specific Definitions:

Committee Member Discussion:

Committee member Moran opined that terminology is often very influential on how people interpret regulations. He suggested that the Committee review all of the definitions, as they are all pivotal. Moran stated that appreciates K. Lake's comments.

Committee member Bruce agreed that reviewing them is a good step. He also noted that he believes the City Council, upon completion of the review, wants the Committee to make a recommendation to the Planning Commission on any needed changes/additions.

Committee member Nash-Hunt added that what caught her eye was the need to be more specific on what is classified as "noise."

Bruce suggested that his recommendation is to look closely at the definitions of the Good Neighbor Contract and ordinance. He reminded the Committee that there is a need to add "Meet and Greet" to the definitions. Nash-Hunt also suggested the definition of each of the different zones. City Manager Naffah was in favor of the addition of the zones.

Public Comment

None

Motion (Bruce/Nash-Hunt) to recommend that the City Council have the Planning Commission review the definition section of the STR ordinance, specifically adding new definitions for Meet and Greets, SR, UR and PD zoning, and lastly that definition #6 (good neighbor contract and good neighbor brochure) in the STR ordinance include the penalties for violations voted upon at June 26, 2020 meeting. Passed (4-0). Passed unanimously.

3. Discuss/Begin to Develop Recommendations to Send to the City Council/Planning Commission for Possible Amendments to Ordinance During the Upcoming 2 Year Review Process:

Committee Member Discussion:

Motion (Nash-Hunt/Bruce) to table agenda item until the meeting on November 17th. Passed (4-0). Passed unanimously.

Moran also added that he wants to discuss fine enforcement and mechanisms for collection.

V. Request for Future Items

- Brief staff report on any complaints that may have come to the City.
- Discussion/decision regarding enforcement of violation of the Good Neighbor Contract.
- Agenda Item 3: Discuss/Begin to Develop Recommendations to Send to the City Council/Planning Commission for Possible Amendments to Ordinance During the Upcoming 2 Year Review Process.

VI. Adjournment

Next scheduled meeting is November 17, ²⁰²⁰.

Motion (Stockness/Nash-Hunt) to adjourn. Passed (4-0). Passed unanimously.

Submitted by:

Angela Zetter
Administrative Assistant

Approved by:



Dick Bruce
STR Committee Chair